

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARSHON MYERS,

Plaintiff,

Case No. 2:14-cv-10220

v.

HONORABLE STEPHEN J. MURPHY, III

CYNTHIA FITZGERALD, et al.,

Defendants.

ORDER ADOPTING REPORT AND RECOMMENDATION
(document no. 43), **GRANTING DEFENDANT'S MOTION FOR**
SUMMARY JUDGMENT (document no. 34) **AND DISMISSING THE CASE**

Marshon Myers ("Myers") was previously an inmate in the custody of the Michigan Department of Corrections ("MDOC"). While incarcerated, Myers learned of a separate criminal charge filed against him in Illinois when he received a document titled "detainer." Myers sent various communications to MDOC's records office to try and notify the Riverdale, Illinois prosecutor's office of his incarceration. Displeased with how MDOC's staff, including Defendant Leffler, handled the relevant paperwork, Myers filed this action, and alleged that the Defendants violated his rights under the Interstate Agreement on Detainers, Mich. Comp. Laws § 780.601.

The matter was referred to Magistrate Judge Paul J. Komives. Over time, 10 of the original 11 defendants were dismissed, leaving Leffler as the sole defendant. See Orders, ECF Nos. 6, 29. The case was then reassigned to Magistrate Judge Anthony P. Patti. Leffler eventually filed a motion for summary judgment, ECF No. 34, and the magistrate judge issued a Report and Recommendation ("Report") suggesting the Court grant Leffler's motion for summary judgment. ECF No. 43. After reviewing the record, the Court will adopt the Report.

Civil Rule 72(b) governs review of a magistrate judge's report and recommendation. De novo review of the magistrate judge's findings is only required if the parties "serve and file specific written objections to the proposed findings and recommendations." Fed. R. Civ. P. 72(b)(2).

Because neither Myers nor the Leffler filed objections, de novo review of the Report is not required. Having reviewed the Report's analysis, in light of the record, the Court finds that its conclusions are factually based and legally sound. Accordingly, it will adopt the Report's findings, grant Leffler's motion for summary judgment, and dismiss the case with prejudice.

ORDER

WHEREFORE, it is hereby **ORDERED** that the magistrate judge's Report and Recommendation (document no. 43) is **ADOPTED**.

IT IS FURTHER ORDERED that Defendant Leffler's Motion for Summary Judgment (document no. 34) is **GRANTED**.

IT IS FURTHER ORDERED that the case is **DISMISSED WITH PREJUDICE**.

SO ORDERED.

s/Stephen J. Murphy, III
STEPHEN J. MURPHY, III
United States District Judge

Dated: August 17, 2016

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on August 17, 2016, by electronic and/or ordinary mail.

s/Carol Cohron
Case Manager